

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

UNOPPOSED URGENT MOTION FOR AN EXTENSION OF TIME

To the Honorable United States Magistrate Judge Judith Gail Dein:

The Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), and the Commonwealth of Puerto Rico (the “Commonwealth”), by and through the Oversight Board as the Commonwealth’s representative pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² the Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF” and together with the Oversight Board and the Commonwealth, the “Respondents”) respectfully submit this unopposed urgent motion requesting an extension of the deadlines set forth in the Court’s December 23, 2017 Order [ECF

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² PROMESA has been codified in 48 U.S.C. §§ 2101–2241.

No. 2166].

Jurisdiction and Venue

1. The United States District Court for the District of Puerto Rico has subject matter jurisdiction over this matter pursuant to PROMESA § 306(a).

2. Venue is proper pursuant to PROMESA § 307(a).

Relief Requested

3. On November 28, 2017, Movants the Ad Hoc Group of General Obligation Bondholders, Ambac Assurance Corporation, Assured Guaranty Corp. and Assured Guaranty Municipal Corp., the Mutual Fund Group, and National Public Finance Guarantee Corporation filed an *Urgent Renewed Joint Motion for Order Authorizing Rule 2004 Examination* (the “Renewed Motion”) [ECF No. 1870] with 17 categories of documents requested in Schedule A thereto (the “Renewed Requests”). The Court issued an order on December 15, 2017, allowing a Rule 2004 examination as to the Renewed Requests, subject to limitations on use of certain documents and also subject to Respondents’ specific objections to individual requests [ECF No. 2033] (the “December 15 Order”).

4. On December 22, 2017, the Parties filed a Joint Report [ECF No. 2154] informing the Court that they reached an agreement regarding Requests 1-7, 9-11, and 13-15,³ (*see* Joint Report at 1-2), but not as to Requests 8, 16, and 17 (*id.* at 3). The Joint Report proposed that the Movants file a brief in support of their position by January 5, 2018, Respondents’ file a brief in response by January 19, 2018, and Movants’ file a reply by January 26, 2018. On December 23, 2017, the Court issued an Order adopting the briefing schedule proposed in the Joint Report [ECF No. 2166]. Movants filed their brief on January 5, 2018 [ECF No. 2223].

³ Movants previously informed the Court that they were no longer pursuing Request 12. *See* Movants’ reply brief in support of Renewed Joint Motion [ECF No. 1973] at 8.

5. Prior to filing this motion, Respondents sought and received the consent of Movants for a brief extension of the time for the Respondents to file their brief and the Movants' to file their reply.

6. The Respondents respectfully request the Court enter an order, in the form attached hereto as Exhibit A, extending the time for Respondents file a response to Movants' brief to January 22, 2018 and extending the time for Movants to file a reply to January 29, 2018.

Certification in Compliance with the Third Amended Case Management Procedures and Local Rule 9013-1

7. Pursuant to Local Rule 9013-1 and paragraph 1.H of the *Third Amended Notice, Case Management and Administrative Procedures* [ECF No. 1512-1], Respondents hereby certify that they have: (a) carefully examined the matter and concluded that there is a true need for an urgent motion; (b) not created the urgency through any lack of due diligence; (c) made a bona fide effort to resolve the matter without a hearing; (d) made reasonable, good-faith communications in an effort to resolve or narrow the issues that are being brought to the Court; and (e) conferred with counsel for the Oversight Board, and no party opposes the relief requested herein.

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WHEREFORE, the Respondents respectfully request the Court enter the Proposed Order and grant such other relief as is just and proper.

Dated: January 19, 2018

Respectfully Submitted:

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Exhibit A

Proposed Order

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

[PROPOSED] ORDER EXTENDING DEADLINES UNDER DECEMBER 23 ORDER

This matter is before the Court on the *Unopposed Urgent Motion for an Extension of Time* (the “Extension Motion”).² Taking notice that the Extension Motion is unopposed and finding good cause for the requested relief, the Extension Motion is ALLOWED. Respondents shall file their response to the Movant’s January 5, 2018 brief [ECF No. 2223] by **January 22, 2018** and Movants shall file their reply by **January 29, 2018**.

SO ORDERED.

Dated: _____, 2018

HONORABLE JUDITH GAIL DEIN
UNITED STATES MAGISTRATE JUDGE

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² Capitalized terms used but not otherwise defined herein have the meanings given to them in the Extension Motion.